



Town of Welaka

P. O. Box 1098

Welaka, Florida, 32193-1098

1-904-467-9800/467-2303

FAX ; 1-904-467-8863

Utilities Dept.
1-904-467-8677

ORDINANCE 94-4

AN ORDINANCE UNDER SECTION 100, CHARTER OF WELAKA OF 1947, REQUIRING ALL OCCUPANTS, OWNERS, OR AGENTS OF OWNERS OF ALL LOTS AND PREMISES, VACANT OR OCCUPIED, WITHIN THE LIMITS OF SAID MUNICIPALITY TO KEEP THE SAME IN CLEAN AND SANITARY CONDITION BY THE REMOVAL OF ALL FILTH, DEBRIS OF EVERY KIND AND TO REQUIRE THE REMOVAL OF ALL OTHER OBNOXIOUS GROWTH, AND DEAD WEEDS, FALLEN, STANDING, OR GROWING ON SUCH LOTS OR PREMISES WHICH SHALL BE DEEMED TO INCLUDE SIDEWALKS AND PARKWAYS IN THE TOWN OF WELAKA, FLORIDA (HEREINAFTER CALLED THE TOWN); PROVIDING FOR LIENS FOR THE COST OF REPAIRS OR MAINTENANCE BY THE TOWN; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF WELAKA, FLORIDA.

SECTION I. Definitions. The term "unkept property" as used in this ordinance is hereby defined to mean and include any property which is dangerous to the public health, safety, and welfare of the citizens of Welaka, because of its condition, and which may cause or aid in the spread of disease or injury to the health, safety, and welfare of the citizens of Welaka; and any property which because of its condition is hazardous or distasteful to the surrounding neighborhood. Any such unkept property in the Town is hereby declared to be a nuisance.

SECTION II. Prohibition. It shall be unlawful to keep or permit the existence of any unkept property in the Town; and it shall be unlawful for the owner, occupant, agent of the property, or any other person in custody of said property to permit the same to remain in an unkept condition.

SECTION III. Abatement. It shall be the duty of the Building Inspector to inspect the property in Town to determine compliance

by this Ordinance. Whenever the Building Inspector shall be of the opinion that any property in the Town is an unkept property, he shall file a written statement to this effect with the Town Clerk. The Clerk shall thereupon cause written notice to be served upon the owner thereof, and upon the occupant thereof, if any, by certified mail or by personal service. Such notice shall state that the property has been declared to be in an unkept condition and that such condition must be removed or remedied by cleaning and/or removing the offending condition at once. Such notice may be in the following terms:

"To _____ (owner-occupant of premises) of the premises known and described as _____.

"You are hereby notified that the premises located at _____ (describe property) has been classified as a nuisance and an unkept property after inspection by _____.

"The causes for this decision are _____ (here insert the facts as to the condition(s)).

"You must remedy this condition or the Town of Welaka will proceed to do so and seek financial reimbursement from you."

If the person receiving the notice has not complied with the determination of the Building Inspector employee finding that an unkept condition exists, within thirty (30) days from the time when this notice is served upon such person by personal service or certified mail, the Building Inspector, may seek a hearing before the Town Council of the Town of Welaka, and present the case before the Town Council.

SECTION IV. Fines. The Town Council, upon notification by the Building Inspector, that a notice of violation has not been complied with by the set time or, upon finding that a repeat violation has been committed, and after a public hearing thereon,

may order the violator to pay a fine in an amount not to exceed two hundred fifty dollars (\$250.00) per day for a first violation, and five hundred dollars (\$500.00) per day for a repeat violation, for each day the violation continues past the date set by the Building Inspector for compliance or, in the case of a repeat violation, for each day the repeat violation continues past the date of notice to the violator of the repeat violation.

SECTION V. Town Expenses. Should the occupant, owner, agent of the owner or any other person in custody of said property fail to comply with the notice of violation, the Town has the option of proceeding under Section IV or Section V. Section V. hereby authorizes Town employees to remedy the condition at the expense of the occupant, owner, agent of the owner or any other person in custody of said property. Should the said person or organization fail to pay for said expense, the Town will set a hearing to determine the reasonableness of said expense. Said expense will be reduced to a fine and may be recorded in the public records and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Passed on first reading the 16th day of March, 1994.

Passed on the second reading the 23rd day of March , 1994,

TOWN COUNCIL - WELAKA, FLORIDA

Milo H. Williams, II
Milo H. Williams, II - Mayor

Seal

Sherwin J. Lockridge, Sr.

Council President

Sherwin J. Lockridge Sr.

ATTESTED:

Nancy Sands
Nancy Sands, Town Clerk